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10893 U.S. PTO

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UTILITY PATENT APPLICATION  
TRANSMITTAL  
(only for continuation and divisional  
applications under 37 CFR 1.53(b))

Docket No.: P-OD 5078

Prior Application Info:  
Examiner: A. Chakrabarti  
Group/Art Unit: 1655

Address to: COMMISSIONER FOR PATENTS  
Box Patent Application  
Washington, D.C. 20231

23601  
PATENT TRADEMARK OFFICE

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Antonio De La Cruz  
(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

Antonio De La Cruz  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

This is a request for filing a  
\_\_\_ continuation X divisional

application under 37 CFR 1.53(b), of pending prior application  
serial no. 09/724,764, filed November 28, 2000 (list only  
immediate prior application).

Title: METHODS OF IDENTIFYING OPTIMAL DRUG COMBINATIONS AND  
COMPOSITIONS THEREOF

Inventor(s) (full name of each inventor): Dale R. Pfost  
No abandonment of, or termination of proceedings, has occurred in  
the above-identified prior application.

1. X An application based on the prior application as filed  
and containing no new matter is enclosed, consisting  
of:  
1 page application cover sheet  
58 pages of specification (includes claims and  
abstract)  
7 sheets of drawing(s).
2. X 3 pages of a copy of the oath or declaration as  
originally filed May 22, 2001, in prior  
application (37 CFR 1.63(d)), U.S. serial no.  
09/724,764, filed November 28, 2000, is  
enclosed.
3. \_\_\_ A signed statement DELETING inventor(s) named in the  
prior application (37 CFR 1.63(d)(2) and 1.33(b)) is  
attached.
4. \_\_\_ Nucleotide and/or Amino Acid Sequence Submission is  
enclosed:  
\_\_\_ computer readable copy of sequence listing  
\_\_\_ paper copy of sequence listing, pages \_\_\_ through  
\_\_\_ Statement Under  
\_\_\_ Request to Use Computer Readable Form of Sequence  
\_\_\_ Listing From Another Application  
\_\_\_ Other:

5. ☒ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under item no. 2 of this form, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
6. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior application.
7. ☐ A preliminary amendment is enclosed.
8. Small entity status:  
a. ☐ A small entity statement is enclosed.  
b. ☐ A small entity statement was filed in prior application serial no. 09/724,764, and such status is still proper and desired.  
c. ☒ is no longer claimed.
9. ☒ Amend the specification by:  
☐ inserting before the first paragraph on page 1: or  
☒ deleting the paragraph on page 1 regarding related applications and inserting therefor:  
  
This application is a divisional of application serial no. 09/724,764, filed November 28, 2000, which claims benefit of U.S. provisional application serial no. 60/167,931, filed November 29, 1999, which are incorporated herein by reference.
10. ☒ Cancel in this application original claims 28-59 of the prior application before calculating the filing fee. (At least one original independent claims must be retained for filing purposes.)
11. The prior application is assigned of record to ORCHID BIOSCIENCES, INC.
12. The power of attorney in the prior application is to Cathryn Campbell, Reg. No. 31,815 and David Gay, Reg. No. 39,200.
13. ☐ A copy of a change in power of attorney or authorization of agent as filed in the prior application (37 CFR 1.63(d)(4)) is enclosed.
14. ☒ A return receipt postcard is enclosed.
15. ☒ A Patent Application Bibliographic Data Sheet is enclosed.
16. ☐ Request for Nonpublication and Certification is enclosed.
17. ☐ A copy of the Petition for Extension of Time filed on \_\_\_\_\_ (date) \_\_\_\_\_ in prior application serial number \_\_\_\_\_ is enclosed.
18. ☒ Also enclosed: Appointment of Associate Attorney.

The filing fee is calculated below:

	NUMBER FILED		NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS	27 - 20	=	7	x	\$9 \$18	\$126.00
INDEPENDENT CLAIMS	3 - 3	=	0	x	\$42 \$84	\$0.00
MULTIPLE DEPENDENT CLAIMS _____ YES _____ X _____ NO					\$140 \$280	\$0.00
BASIC FEE					\$370 \$740	\$740.00
TOTAL FEE						\$866.00

19. X A check in the amount of \$866.00 is enclosed. A duplicate copy of this sheet is enclosed.
20. \_\_\_\_\_ The filing fee is not enclosed. Do not charge our deposit account.
21. X The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

Address all future communications to:

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USPTO CUSTOMER NO. 23601

Respectfully submitted,

Date: December 27, 2001

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\_\_\_\_ inventor(s)

X agent of record

\_\_\_\_ assignee of complete  
interest

\_\_\_\_ filed under Sec. 1.34(a)

Document: A copy of a Patent  
Application Declaration  
Attorney Docket No.: P-OD 5078

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FEE RECORD SHEET

01/07/2002 WABRHAM1 00000026 10034882

01 FC:101	740.00 OP
02 FC:103	126.00 OP

PTO-1556  
(5/87)

\*U.S. GPO: 2000-468-987/39595